

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 7/17/2023

UNITED STATES OF AMERICA,

- against -

DEVIN SILVA,

Defendant.

22 CR. 705 (AT)
AMENDED ORDER OF
COMPETENCY EXAMINATION AND
REPORT

IT IS HEREBY ORDERED that the Bureau of Prisons (BOP) is to have a licensed psychiatrist or psychologist conduct an examination of defendant Devin Silva, Registration number 34290-510, pursuant to Title 18, United States Code, Section 4241(b), in order to determine whether the defendant is suffering from any mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense;

IT IS FURTHER ORDERED that the BOP commence the evaluation of the defendant within 30 days;

IT IS FURTHER ORDERED that the court-approved psychiatrist or psychologist should not question the defendant about (1) the offense; (2) his activities before and after the offense; or (3) his medical history, employment record, criminal history, bad acts, or any other area not directly connected to competency;

IT IS FURTHER ORDERED that at the conclusion of the examination, the psychiatrist or psychologist will prepare a report of the defendant's mental condition in order to assist the Court and counsel in the determination of whether there is reasonable cause to believe the defendant may presently be suffering from a mental disease or defect rendering him mentally incompetent to the

extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense;

IT IS FURTHER ORDERED that all parties should receive a copy of the examination report pursuant to 18 USC 4247 (c);

IT IS FURTHER ORDERED that the BOP report the results of the evaluation to the Court within a reasonable period of time following the conclusion of the evaluation;

IT IS FURTHER ORDERED that this Order supersedes the Court's prior Order of Psychiatric Examination and Report. (ECF No. 39).

SO ORDERED:

Dated: July 17, 2023
New York, New York



HON. ANALISA TORRES
United States District Judge